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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/627,530	07/24/2003	Stuart K. Janikowski	LIT-PI-344.3D1	2921

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EXAMINER

LAMB, BRENDA A

ART UNIT

PAPER NUMBER

1734

DATE MAILED: 11/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/627,530

Applicant(s)

JANIKOWSKI ET AL.

Examiner

Brenda A. Lamb

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 August 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,4-6,8-15 and 17-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 5-6,8-13 and 17-19 is/are allowed.
- 6) ☒ Claim(s) 1,4,14 and 15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1,4 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Argyle et al 5,709,910 in view of Pepe.

Argyle et al teaches a system for applying a modifying composition to a substrate. Argyle et al teaches the system includes a processing chamber which is comprised of a first region; a second region; and a constricted medial region between the first region and the second region, wherein the processing system is configured to accept a treatment mixture to a substrate as it moves there through and the pressure chamber is configured to initiate a pressure drop in the treatment mixture (see column 8 lines 3-4). Argyle et al teaches the entry seal comprises a plurality of baffles, each of the baffles having an aperture and the recited aperture is capable of accepting a

substrate that substantially matches but has a slightly smaller cross-section. Argyle et al teaches at column 6 lines 26-31 and column 7 lines 44-59 the passageway with baffles therein may differ in cross-sectional configurations—e.g. rectangular, elliptical and the like which reads on a non-equidimensional aperture as defined by applicant at paragraph 0016 of the instant specification. Argyle et al fails to teach the at least one baffle of the entry seal having an adjustable non-equidimensional aperture and a first baffle separating the first region from the constricted medial region, the first baffle having an adjustable non-equidimensional aperture sized and configured to accept a substrate of substantially matching, but slightly smaller, cross-section, a second baffle separating the second region from the constricted medial region, the second baffle having an adjustable non-equidimensional aperture sized and configured to accept a substrate of substantially matching, but slightly smaller, cross-section. However, Pepe teaches the design of a pressurized treatment chamber wherein the entrance and exit of the pressurized treatment chamber each comprises a pressurized gas seal having a plurality of baffles therein wherein the size of the non-equidimensional opening of each baffle is at least temporarily adjustable by providing the baffles with a pivoting means to allow the gas seals to accept substrates having different configuration (see Figure 6) or wherein the entrance and exit of the pressurized treatment chamber each comprises a pressurized gas seal having a plurality of baffles therein wherein the size of the non-equidimensional opening of each baffle is adjustable by providing the baffles by sliding the gates or baffles up and down via separate control rods as shown in FIG. 4 to adjust pressure within the processing chamber. Therefore, it would have been obvious to

modify the gas seals at the entrance and exit of the Argyle et al processing chamber by providing the entry seal baffle and exit seal baffle along with the above cited recited baffles with an adjustment means such that the size of the aperture is adjustable such as taught by Pepe for the obvious advantage of enabling one to treat a variety of sizes of a substrate of a given cross-section in his process and for the control of pressure of within the processing chamber. Thus claims 1,4 and 15 are obvious over the above cited references.

Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Argyle et al in view of Pepe and Godley 2,545,576.

Argyle et al and Pepe are applied for the reasons note above. Argyle fails to teach the apparatus is further comprised of a substrate feed controller. However, it would have been obvious to modify the Argyle et al apparatus to provide a substrate feed controller such as taught by Godley to control speed at which substrate is passed through the system for the taught advantage of increasing uniformity of deposition of material onto the traveling substrate. Thus claim 14 is obvious over the above cited references.

Applicant's arguments filed 8/28/2006 have been fully considered but they are not persuasive.

Applicant's argument that Pepe fails to teach the use of adjustable baffles within the furnace tunnel is found to be non-persuasive. As discussed above, Pepe teaches the entrance and exit of the pressurized processing chamber comprises a pressurized gas seal having a plurality of baffles therein wherein the size of the non-equidimensional

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opening of each baffle is at least temporarily adjustable by providing the baffles with a pivoting means to allow the gas seals to accept substrates having different configuration (see Figure 6) or wherein the entrance and exit of the pressurized treatment chamber each comprises a pressurized gas seal having a plurality of baffles therein wherein the size of the non-equidimensional opening of each baffle is adjustable by providing the baffles by sliding the gates or baffles up and down via separate control rods as shown in FIG. 4 to adjust pressure within the processing chamber. Therefore, it would have been obvious to modify the gas seals at the entrance and exit of the Argyle et al processing chamber by providing the entry seal baffle and exit seal baffle along with the above cited recited baffles with an adjustment means such that the size of the aperture is adjustable such as taught by Pepe for the obvious advantage of enabling one to treat a variety of sizes of a substrate of a given cross-section in his process and for the control of pressure of within the processing chamber.

Claims 5-6, 8-13 and 17-19 are allowed.

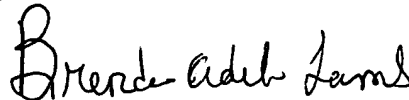
Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the

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shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication should be directed to Brenda A. Lamb at telephone number (571) 272-1231. The examiner can normally be reached on Monday-Tuesday and Thursday-Friday with alternate Wednesday off.

A handwritten signature in black ink, appearing to read "Brenda A. Lamb". The signature is written in a cursive, flowing style.

Brenda A Lamb
Examiner
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